

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 4126 of 2005

Between:

- 1 M. Punyavathi W/o Swamy Naidu
R/o Muniavaram Village P. Gannavaram Mandal,
East Godavari District.
- 2 M. Paravathi W/o Venkata Narasaiah
R/o Muniavaram Village P. Gannavaram Mandal,
East Godavari District.

..... PETITIONERS

AND

- 1 The Commissioner for Cooperation/ Registrar of Cooperative Societies Government of A.P., Hyderabad.
- 2 The District Cooperative Officer, E.G. District at Kakinada.
- 3 The Divisional Cooperative Officer, Amalapuram, East Godavari District.
- 4 M.Praveena Deputy Registrar of Coop. Societies (earlier DI.C.O. Amalapuram) Now Transferred to DI.C.O. Kovvur.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 4th respondent in not conducting and completing the enquiry as ordered by the 1st respondent vide proceedings Rc. No. 31010/2003/PACS Z(II), dated 6-8-2004 under Section 51 of the A.P. Cooperative Societies Act into the affairs of the Yenugupalli PACS. P. Gannavaram Mandal in spite of time limit prescribed by the of Section 51 of the A.P.C.S. Act even after lapse of 6 months as highly illegal, arbitrary and violative of

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ORDER:

The only grievance of the petitioners is that the first respondent through his proceedings in R.C.No.31010/2003/PACS Z (II), dated 06-08-2004, authorized the Divisional Cooperative Officer, Kovvur, West Godavari District to conduct enquiry into the affairs of the Yenugupalli PACS and submit a report within two months, while cancelling the earlier enquiry in this regard is not being carried on.

The complaint of the petitioners is that the Divisional Cooperative Officer, Kovvur, is not proceeding in the matter, thereby, putting them to inconvenience.

According to the petitioners, the notices issued asking them to remit the arrears of loan taken by them, are not true. In fact, there are no dues outstanding against them. Unless and until the enquiry is completed, the truth will not come out and the respondents are dragging the matter only to harass them.

In view of the above, without expressing any opinion on the merits of the case, the respondents are directed to complete the enquiry as directed by the first respondent, as per law, within a period of three months from the date of receipt of this order and communicate the enquiry proceedings to the petitioners.

With the above observation, the writ petition is disposed of. No order as to costs.

C.V.RAMULU, J

Dated 13 April, 2005.

YCR

To

- 1 The Commissioner for Cooperation/ Registrar of Cooperative Societies Government of A.P., Hyderabad.
- 2 The District Cooperative Officer, E.G. District at Kakinada.

3 The Divisional Cooperative Officer, Amalapuram, East Godavari District.

4 M.Praveena Deputy Registrar of Coop. Societies (earlier DI.C.O. Amalapuram) Now Transferred to DI.C.O. Kovvur.

5. 2 CCs to G.P. for Cooperation, High Court Buildings, Hyderabad. (OUT)

6. 2 C.D. copies.